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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,789	12/14/2001	Sarah Metcalfe	82001-0296	1625
24633	7590	10/27/2005	EXAMINER	
HOGAN & HARTSON LLP IP GROUP, COLUMBIA SQUARE 555 THIRTEENTH STREET, N.W. WASHINGTON, DC 20004			WU, RUTAO	
			ART UNIT	PAPER NUMBER
			3639	

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/014,789	METCALFE ET AL.	
	Examiner	Art Unit	
	Rutao Wu	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/03/2002</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference #214. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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2. Claims 1-13, 15-27, 29-40, 42 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat No. 5,694,551 to Doyle et al.:

Referring to claims 1, 15, 29, 42:

A method for sharing, tracking and updating supply chain purchasing transactional information, comprising the steps:

Importing a purchase order having one or more user defined attributes, wherein said purchase order is associated with a first supply chain trading partner; and (col 1: lines 26-30; col 2: lines 66-67; col 3: line 1; col 5: lines 30-36)

Creating a corresponding delivery order having one or more user defined attributes, wherein said corresponding delivery order associated with a second supply chain trading partner, said deliver order being accessible by said first trading partner. (col 4: lines 4-14; col 6: lines 45-59; col 8: lines 40-46)

Referring to claims 2, 17:

The method according to Claim 1, further comprising the step of creating a configurable status attribute for said delivery order. (col 4: lines 15-17)

Referring to claims 3, 18, 36:

The method according to Claim 1, wherein said step of creating said corresponding delivery order further includes the step of importing data from said purchase order into said delivery order. (col 4: lines 4-14; col 6: lines 45-59; col 8: lines 40-46)

Referring to claims 4, 19, 33:

The method according to Claim 1, further comprising the step of monitoring for changes to data contained in said delivery order. (col 5: lines 5-7)

Referring to claims 5, 20, 34:

The method according to Claim 4, further comprising the step of comparing said changes to said data and determining whether a business rule has been violated. (col 6: lines 65-67)

Referring to claims 6, 21, 35:

The method according to Claim 5, further comprising the step of notifying one of said trading partners when a business rule has been violated. (col 6: lines 65-67; col 7: lines 31-34, 47-50)

Referring to claims 7, 22, 31:

The method according to Claim 1, further comprising the step of creating a filter configured so that said filter allows a third trading partner to access said delivery order based on a third party attribute in said delivery order. (col 1: lines 26-31; col 3: lines 34-36)

Referring to claims 8, 23, 32:

The method according to Claim 1, further comprising the step of creating a filter configured so that said filter allows a third trading partner to access said delivery order based on a status attribute in said deliver order. (col 3: lines 37-40)

Referring to claims 9, 24, 37:

The method according to Claim 1, further comprising the step of making accessible data contained in said delivery order to a logistical application. (col 2: line 66-67; col 3: lines 1-4)

Referring to claims 10, 25, 38:

The method according to Claim 9, wherein said logistical application is a transport application. (col 1: lines 44-51)

Referring to claims 11, 26, 39:

The method according to Claim 9, wherein said logistical application is a monitoring application. (col 2: line 66-67; col 3: lines 1-4)

Referring to claim 12:

The method according to Claim 1, wherein said delivery order corresponds to said purchase order based on a purchase order attribute for said delivery order. (col 4: lines 4-14)

Referring to claims 13, 27, 40:

The method according to Claim 1, further comprising the steps of creating a one-to-many attribute in said delivery order. (col 3: lines 30-31)

Referring to claims 16, 30:

The system according to Claim 15, further comprising a means for creating a filter, said filter assigned to said second trading partner and configured to query for said purchase order based on a designed supplier attribute contained in said purchase order. (col 5: lines 26-27)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14, 28, 41 rejected under 35 U.S.C. 103(a) as being unpatentable over Doyle et al in view over U.S. Pat No. 6,889,197 to Lidow.

Doyle et al does not explicitly disclose the system is cable of creating a shipment using data from two or more purchase orders.

Lidow discloses in his invention the ability to accumulate customers placed orders from customers who are using the same or similar products. The demands are then aggregated and supply chain server determines the best method for distributing all the products requested. (col 5: lines 32-37) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Doyle et al's invention to include the ability to combine multiple orders into one shipment. One would be motivated to perform such a function because it would be more efficient and reduces cost when multiple orders of similar items or multiple orders with same address are combined in one shipment.

Conclusion

1. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

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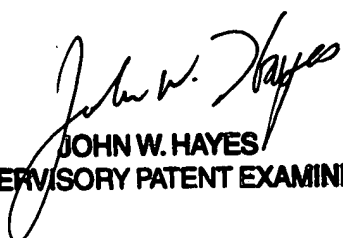
Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rutao Wu whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

nw


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER